



Carson City Office:
251 Jeanell Drive, Suite 3
Carson City, NV 89703
(775) 684-5333
Fax (775) 882-5121

Las Vegas Office:
2300 McLeod Street
Las Vegas, NV 89104-4314
(702) 486-4690
Fax (702) 486-4695

DEPARTMENT OF AGRICULTURE

350 Capitol Hill Avenue
Reno, Nevada 89502-2923
Telephone (775) 688-1180 • Fax (775) 688-1178
Website: <http://agri.state.nv.us>

Elko Office:
1351 Elm Street
Elko, NV 89801-3364
(775) 738-8076
Fax (775) 738-2639

Winnemucca Office:
1200 E. Winnemucca Blvd.
Winnemucca, NV 89445-2999
(775) 623-6502
Fax (775) 625-1200

July 5, 2005

Docket No. 05-28-1
Regulatory Analysis and Development
PPD, APHIS
Station 3C71
4700 River Road Unit 118
Riverdale, MD 20737-1238

Re: Comments on Docket No. 05-028-1

To Whom it May Concern:

As State Brand Inspector and Administrator for Agriculture Law Enforcement in the State of Nevada, I would like to make the following comments regarding Docket No. 05-015-1. The Nevada Department of Agriculture has been actively involved in animal identification as well as animal health programs for nearly 100 years. NDOA supports the concept of animal identification as well as rapid trace-back, however two particular areas of concern are noted below:

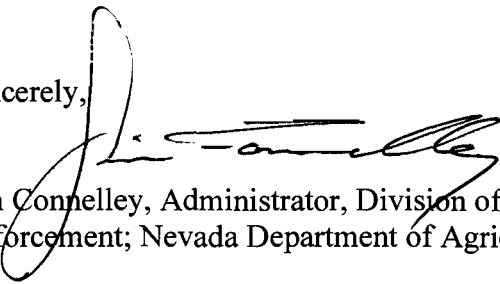
The most important, from a brand inspectors viewpoint, is that flexibility must be built into the system in order to fit the western livestock industry's current business practices and facilitate the unencumbered flow of commerce in the western livestock business. If this becomes a problem, and the normal flow of business is interrupted or becomes burdensome, the industry will not buy off on the NAIS and continual problems will arise. The western states of the U.S. all have a long and excellent history of livestock identification using brand inspection and recording programs. This, coupled with the western circumstances of large, open range cattle operations, some of which only see all their cattle once a year, must be taken into consideration in the implementation of the NAIS. No matter how hard we may try, a one-size fits all approach in an industry as large and diverse as the U.S. livestock industry will not work. It only makes sense to utilize the already proven brand inspection programs in the western states that have been

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up and running for many years, with infrastructure and processes in place and are historically proven to be effective. Group lot movements of beef cattle must be provided for in the western U.S. Many producers not only don't see their livestock but once or twice per year, but often when they do they are loading out of portable corrals in remote places with no access to power or livestock working facilities. Often cowboys are used to hold rodeer (the herd) while others are parting off the animals to be loaded and transported. Any system that doesn't allow for group lot movements of cattle in the western U.S. based upon brands will be met with frustration and a less than cooperative attitude by the producers affected.

The other major concern is the issue of confidentiality of information. Nevada's statutes have been revised during the 2005 session of the legislature to address confidentiality for producers at the state level. USDA must have similar statutory protection of this information.

Sincerely,

A handwritten signature in black ink, appearing to read "Jim Connelley". The signature is fluid and cursive, with a large initial "J" and a long, sweeping underline.

Jim Connelley, Administrator, Division of Livestock Identification & Agriculture Law Enforcement; Nevada Department of Agriculture